

SURROGATE'S COURT OF THE STATE OF NEW YORK  
COUNTY OF DUTCHESS

-----X

**AFFIDAVIT OF SERVICE**

In the Matter of the Estate of GERALD R. THEW

File No. 89659/00

Deceased.

Assigned Justice:  
Hon James D. Pagones

-----X

In the Matter of the ACCOUNTING BY JOAN THEW  
DECKER and ALLAN E. RAPPLEYEA, Trustees under  
the Will of DORIS C. THEW,

File No. 75001

Deceased.

-----X

In the Matter of the Estate of RICHARD W. THEW

File No. 93543/2004

Deceased.

-----X

STATE OF NEW YORK     )  
                                  ) ss.:  
COUNTY OF DUTCHESS    )

MARTIN VONDERAU., being duly sworn, deposes and says:

I am not a party to the action, am over 18 years of age and reside in Poughkeepsie, New York.

On July 28, 2004, I served an ORDER TO SHOW CAUSE WITH SUPPORTING AFFIDAVIT OF ALLAN E. RAPPLEYEA and accompanying MEMORANDUM OF LAW in the following manner:

by mailing the same, *certified and return receipt requested*, in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address(es) of the addressee(s) as indicated below:

Ms. Melinda Thew Cooper  
669 Reeves Road  
Franklin, KY 42134

Mr. Garret Thew  
P.O. Box 192  
644 Salmon Lane  
Ennice, NC 28623-0192

Mr. Kevin Thew  
695 Canal Drive SE  
Sunset Harbor  
Bolivia, NC 28422

  
\_\_\_\_\_  
MARTIN VONDERAU

Sworn to before me  
July 29, 2004.

  
NOTARY PUBLIC

VICTORIA R. TRIPP  
Notary Public, State of New York  
No. 01TR6091025  
Qualified in Dutchess County  
Commission Expires April 21, 20 07

SURROGATE'S COURT OF THE STATE OF NEW YORK  
COUNTY OF DUTCHESS

-----X

In the Matter of the Estate of Gerald R. Thew

Deceased.

AFFIDAVIT OF SERVICE

File No. 89659/00

Assigned Justice:  
Hon James D. Pagonis

-----X

In the Matter of the ACCOUNTING BY JOAN THEW  
DECKER and ALLAN E. RAPPLEYEA, Trustees under  
the Will of DORIS C. THEW,

Deceased.

File No. 75001

-----X

In the Matter of the Estate of RICHARD W. THEW

Deceased.

File No. 93543/2004

-----X

STATE OF NEW YORK     )  
                                  ) ss.:  
COUNTY OF DUTCHESS    )

MARTIN VANDERAU, being duly sworn, deposes and says:

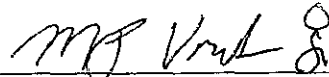
I am not a party to the action, am over 18 years of age and reside at Poughkeepsie, New York.

On July 28, 2004, I served a true copy of an Order to Show Cause with supporting affidavit of Allan E. Rappleyea and accompanying Memorandum of Law annexed hereto by mailing the same in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee(s) as indicated below:

Stephen P. O'Hare  
O'Hare & O'Hare, P.C.  
488 Freedom Plains Road  
Suite 103  
Poughkeepsie, NY 12603

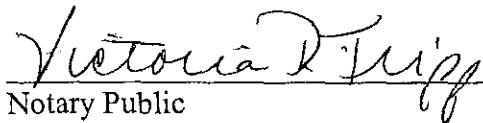
William M. Bagliebter, Esq.  
Reed Smith LLP  
599 Lexington Avenue -- 29th Floor  
New York, NY 10022

Ellen Baker, Esq.  
McCabe & Mack, LLP  
P.O. Box 509  
Poughkeepsie, NY 12602-0509



MARTIN VONDERAU

Sworn to before me this  
29th day of July, 2004.

  
Notary Public

VICTORIA R. TRIPP  
Notary Public, State of New York  
No. 01TR6091025  
Qualified in Dutchess County  
Commission Expires April 21, 20 07

SURROGATE'S COURT: COUNTY OF DUTCHESS

STATE OF NEW YORK

IN THE MATTER OF THE ESTATE OF GERALD R THEW

Attorney

File # : 407-394

Index # : 89659/00

Date Index # Purchased :

Plaintiff

- against -

Defendant,

**AFFIDAVIT OF SERVICE**  
ORDER TO SHOW CAUSE WITH  
ATTACHED AFFIDAVITS OF  
ALLAN E RAPPLEYEA AND A  
MEMORANDUM OF LAW

STATE OF NEW YORK

COUNTY OF DUTCHESS

SS.:

CHARLES H. HOWES, JR. , being duly sworn, deposes and says: That deponent is not a party to this action, is over 18 years of age and resides at HOPEWELL JUNCTION, NEW YORK  
That on JULY 30 2004 at 9:00 AM at 180 CLAPP HILL ROAD  
LAGRANGEVILLE NY deponent served the above paper  
upon JOHN THEW

By delivering a true copy thereof to said defendant/witness personally; deponent knew said person served to be the person described as defendant (witness) therein.

A corporation, by delivering a true copy thereof to personally; deponent knew said corporation served to be the corporation described as defendant (witness) and knew said individual to be ( authorized to accept service on behalf of the corporation )

☒ By delivering a true copy thereof to LARRY THEW "BROTHER " a person of suitable age and discretion. Said premises is defendant's / witness' (dwelling place) within the State.

By affixing a true copy thereof to the door of said premises, the same being the defendant's (dwelling place) (usual place of abode)(place of business) within the State of New York. Deponent was unable, with due diligence, to locate defendant (witness) or a person of suitable age and discretion thereat, having called there on the following dates and times :

☒ Deponent also enclosed a copy thereof in a first class postpaid, sealed envelope properly addressed to defendant (witness) at 180 CLAPP HILL ROAD LAGRANGEVILLE NY defendant's (witness') last known (residence) and deposited said wrapper in an official US. Postal Service depository within the State, on 7/31/04 The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

☐ A certified Mailing, ☐ Return Receipt requested was performed. # was effected.

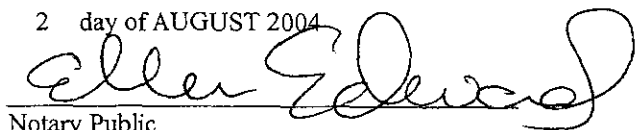
Deponent paid (tendered) in advance \$ , the authorized traveling expenses and one day's witness fee.

☒ DESCRIPTION - Deponent describes the individual served as follows:  
Sex MALE Skin color WHITE Approx. age 55 Approx. Ht. 6' Approx. Wt. 225 lbs.  
Color of Hair GRAY Beard Mustache Other:

MILITARY SERVICE - Deponent asked the person served (spoken to) whether the defendant was in active military service of the United States or of the State and was informed he/she was not. Defendant wore ordinary civilian clothes and no military uniform.

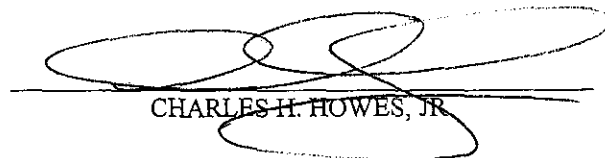
Sworn to before me this

2 day of AUGUST 2004



Notary Public

ELLEN EDWARDS  
NOTARY PUBLIC, State of New York  
Qualified in Ulster County  
Commission Expires August 23, 2005



CHARLES H. HOWES, JR.

SURROGATE'S COURT: COUNTY OF DUTCHESS

STATE OF NEW YORK

IN THE MATTER OF THE ESTATE OF GERALD R THEW

Attorney

File #: 407-395

Index #: 89659/00

Date Index # Purchased :

Plaintiff

- against -

Defendant,

**AFFIDAVIT OF SERVICE**  
 ORDER TO SHOW CAUSE WITH  
 ATTACHED AFFIDAVITS OF  
 ALLAN E RAPPELEYEA AND A  
 MEMORANDUM OF LAW

STATE OF NEW YORK

COUNTY OF DUTCHESS

SS.:

CHARLES H. HOWES, JR., being duly sworn, deposes and says: That deponent is not a party to this action, is over 18 years of age and resides at HOPEWELL JUNCTION, NEW YORK  
 That on JULY 30 2004 at 9:30 AM at 119 EMANS ROAD  
 LAGRANGEVILLE NY deponent served the above paper  
 upon JOAN DECKER

- ☒ By delivering a true copy thereof to said defendant/witness personally; deponent knew said person served to be the person described as defendant (witness) therein.

A corporation, by delivering a true copy thereof to personally; deponent knew said corporation served to be the corporation described as defendant (witness) and knew said individual to be (authorized to accept service on behalf of the corporation)

By delivering a true copy thereof to discretion. Said premises is defendant's / witness' (dwelling place) a person of suitable age and within the State.

By affixing a true copy thereof to the door of said premises, the same being the defendant's (dwelling place) (usual place of abode)(place of business) within the State of New York. Deponent was unable, with due diligence, to locate defendant (witness) or a person of suitable age and discretion thereat, having called there on the following dates and times :

Deponent also enclosed a copy thereof in a first class postpaid, sealed envelope properly addressed to defendant (witness) at

defendant's (witness') last known (residence) and deposited said wrapper in an official US. Postal Service depository within the State, on The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

☐ A certified Mailing, ☐ Return Receipt requested was performed. # was effected.

Deponent paid (tendered) in advance \$ , the authorized traveling expenses and one day's witness fee.

- ☒ DESCRIPTION - Deponent describes the individual served as follows:  
 Sex FEMALE Skin color WHITE Approx. age 75 Approx. Ht. 5'4 Approx. Wt. 125 lbs.  
 Color of Hair BROWN Beard Mustache Other:

MILITARY SERVICE - Deponent asked the person served (spoken to) whether the defendant was in active military service of the United States or of the State and was informed he/she was not. Defendant wore ordinary civilian clothes and no military uniform.

Sworn to before me this  
 2 day of AUGUST 2004

Notary Public

ELLEN EDWARDS  
 NOTARY PUBLIC, State of New York  
 Qualified in Ulster County  
 Commission Expires August 23, 2005

CHARLES H. HOWES, JR.

SURROGATE'S COURT: COUNTY OF DUTCHESS

STATE OF NEW YORK

IN THE MATTER OF THE ESTATE OF GERALD R THEW

Attorney

File #: 407-393

Index #: 89659/00

Date Index # Purchased:

Plaintiff

- against -

Defendant,

**AFFIDAVIT OF SERVICE**  
**ORDER TO SHOW CAUSE WITH**  
**ATTACHED AFFIDAVITS OF**  
**ALLAN E RAPPLEYEA AND A**  
**MEMORANDUM OF LAW**

STATE OF NEW YORK

COUNTY OF DUTCHESS

SS.:

CHARLES H. HOWES, JR., being duly sworn, deposes and says: That deponent is not a party to this action, is over 18 years of age and resides at HOPEWELL JUNCTION, NEW YORK  
 That on JULY 30 2004 at 9:00 AM at 180 CLAPP HILL ROAD  
 LAGRANGEVILLE NY deponent served the above paper  
 upon LARRY THEW

- ☒ By delivering a true copy thereof to said defendant/witness personally; deponent knew said person served to be the person described as defendant (witness) therein.

A corporation, by delivering a true copy thereof to personally; deponent knew said corporation served to be the corporation described as defendant (witness) and knew said individual to be (authorized to accept service on behalf of the corporation)

By delivering a true copy thereof to a person of suitable age and discretion. Said premises is defendant's / witness' (dwelling place) (usual place of abode) (place of business) within the State.

By affixing a true copy thereof to the door of said premises, the same being the defendant's (dwelling place) (usual place of abode)(place of business) within the State of New York. Deponent was unable, with due diligence, to locate defendant (witness) or a person of suitable age and discretion thereat, having called there on the following dates and times:

Deponent also enclosed a copy thereof in a first class postpaid, sealed envelope properly addressed to defendant (witness) at

defendant's (witness') last known (residence) (place of business) and deposited said wrapper in an official US. Postal Service depository within the State, on The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

☐ A certified Mailing, ☐ Return Receipt requested was performed. # was effected.

Deponent paid (tendered) in advance \$ , the authorized traveling expenses and one day's witness fee.

- ☒ DESCRIPTION - Deponent describes the individual served as follows:  
 Sex MALE Skin color WHITE Approx. age 55 Approx. Ht. 6' Approx. Wt. 225 lbs.  
 Color of Hair GRAY Beard Mustache Other:


MILITARY SERVICE - Deponent asked the person served (spoken to) whether the defendant was in active military service of the United States or of the State and was informed he/she was not. Defendant wore ordinary civilian clothes and no military uniform.

Sworn to before me this  
 2 day of AUGUST 2004



Notary Public

ELLEN EDWARDS  
 NOTARY PUBLIC, State of New York  
 Qualified in Ulster County  
 Commission Expires August 23, 2005



CHARLES H. HOWES, JR.